

## **REMARKS**

### **1. Specification Amendments.**

The Title has been amended to be more descriptive, as requested by the examiner. No. new matter has been added.

### **2. Claims Amendments.**

Claim 1 has been amended to include some of the features of Claims 6, 7, and 9 and to simplify and clarify some of the language. No new matter has been added.

Claims 2 and 3 have been previously cancelled without prejudice.

Claim 4 has been amended to clarify and simplify some of the language. No new matter has been added.

Claims 5 has been amended to clarify and simplify some of the language. No new matter has been added.

Claim 6 has been cancelled without prejudice.

Claim 7 has been cancelled without prejudice.

Claim 8 has been amended to clarify and simplify some of the language. No new matter has been added.

Claim 9 has been cancelled without prejudice.

Claim 10 has been amended to change dependency from now cancelled Claim 6 to Claim 4 and to clarify and simplify some of the language. No new matter has been added.

Claim 11 has been amended to change dependency from now cancelled Claim 7 to Claim 4. No new matter has been added.

Claims 12 – 20 have been cancelled without prejudice.

### **3. Claim Rejections Under 35 USC 102**

Claims 1, 4, 5, 9, 12-14, and 17 have been rejected under 35 USC 102(b) by US Patent No. 5,671,502 to Ezman (Ezman '502). Claims 13, 15- 17 have been rejected under 35 USC 102(b) by US Patent No. 4,633,615 to Moose (Moose '615). Based on the amendments to Claims 1, 4, and 5, and the cancellation of the other claims,

Applicant requests reconsideration of these grounds for rejection. Specifically, Ezman '502 cannot anticipate Claims 1 and 5 of the present patent application because Ezman '502 does not disclose every element of Applicant's invention as claimed. Additionally, Moose '615 cannot anticipate Claims 1, and 10 of the present patent application because Moose '615 does not disclose every element of Applicant's invention as claimed. Applicant requests that the examiner reconsider and withdraw these rejections.

#### **4. Claim Rejections Under 35 USC 103**

Claims 1, 6, 7, and 9-12 have been rejected under 35 USC 103(a) by Moose '615 in view of US Patent No. 5,927,017 to Jacobs (Jacobs '017). Claim 8 has been rejected under 35 USC 103(a) by Ezman '502. Claim 18-20 have been rejected under 35 USC 103(a) by Moose '615 in view of Ezman '502. Based on the amendments to Claims 1 and 10 and the cancellation of the other claims, Applicant requests reconsideration of this ground for rejection. Applicant requests that the examiner reconsider and withdraw this rejection.

#### **5. Supplementary Comments**

As claimed, the structure of the securing member 28 and the manner in which it is mounted on the castor unit, specifically on the stationary hub 25, allows the securing member 28 to be pivoted independently in the manner of a rocker. This freely displaceable arrangement improves the functionality of the wall or door element. The castor can move freely along the floor runner 13. The securing member enters the floor runner with securing hooks 31, 32. These securing hooks are not arranged in a stationary, predetermined position relative to the floor runner, but can be moved in the floor runner by possible pivoting movements of the securing member. Because of this arrangement, it is possible to adjust the position of the securing hooks to changes in their relative position resulting from the movement of the wall element of door element. The same applies to unavoidable manufacturing tolerances or imprecision levels. It is not possible to position securing organs configured according to the invention in a stationary, predetermined relative position in order to ensure that the organs are moved

without contact with the castor inside the floor runner configured as a hollow body. In stead, it can be expected that a fixed, immobile arrangement of the securing member, and thus of the anchoring hooks entering into the floor runner, would entail the risk that the anchoring hooks would exert a braking effect from their contact with the profile of the floor runner, as well as being subjected to inevitable material deformations and other relative movements. The free mobility of the entire securing member proposed by the invention successfully avoids these problems, and others, and facilitates the manufacture and assembly of the castor units.

None of the cited references are equipped with a securing member within the meaning of Claim 1 of the invention. The hook-shaped retaining elements 27, 28, 31, 32 of the present invention are permanently connected to the roller housing 10 (FIG. 3). Ezman '502 lacks a separate securing member with anchoring members and, instead, the roller housing is directly provided with the "engaging means". The roller assembly pursuant to Moose '615 also lacks a freely mobile securing member relative to the roller assembly. As can be seen in FIGs. 3 and 4, and also in FIGs. 7 and 8, the securing member centered between two rollers is connected to the axes of the two rollers. This means that no relative movement is possible. The roller assembly with securing member of Jacobs '017 also has the same basic disadvantage as Ezman '502 and Moose '615. In Jacobs '017, a securing member provided merely on one side of the roller is connected as a separate shaped part to the roller mounting member. The securing member configured with a shaft is inserted into a retaining member on the roller mounting member. The retaining member consists of upper and lower guides, which makes it possible for the securing member to pivot. The securing member is inserted in a particular relative position. Here, an anchoring head points in the longitudinal direction of the runner. Afterwards, the member is pivoted with the help of a handle and fixed with respect to its relative position. In this position, no relative movements of the securing member with respect to the roller mounting member are possible.

Thus, overall, as claimed, the present invention does not have the same structural features and functions as the cited art, and vice versa.

## CONCLUSION

Applicant submits that the patent application is in proper condition for allowance, and respectfully requests such action.

If the Commissioner or the Examiner has any questions that can be resolved over the telephone, please contact the patent attorney of record and the new contact information below.

Respectfully submitted,  
SMITH, GAMBRELL & RUSSELL, LLP

A handwritten signature in black ink, appearing to read "Laurence P. Colton", is written over the printed name.

Laurence P. Colton  
Reg. No. 33,371

SMITH, GAMBRELL & RUSSELL, LLP  
1230 Peachtree St., NW, Suite 3100  
Atlanta GA 30309

Tel: 404.815.3681  
Fax: 404.685.6981  
E-Mail: lcolton@sgrlaw.com